

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AMY COOK, derivatively on behalf of)
CAREER EDUCATION)
CORPORATION,)

Plaintiff,)

vs.)

GARY E. MCCULLOUGH, STEVEN H.)
LESNIK, LESLIE T. THORNTON,)
DENNIS H. CHOOKASZIAN, DAVID W.)
DEVONSHIRE, PATRICK W. GROSS,)
GREGORY L. JACKSON, MICHAEL J.)
GRAHAM, THOMAS B. LALLY, BRIAN)
R. WILLIAMS, THOMAS G. BUDLONG,)
and THOMAS A. MCNAMARA,)

Defendants,)

- and -)

CAREER EDUCATION)
CORPORATION, a Delaware corporation,)
Nominal Defendant.)

Civil Action No. 11 C 9119

The Honorable John W. Darrah

Plaintiff's Agreed Motion for Preliminary Approval of Settlement

Under Rule 23(c) of the Federal Rules of Civil Procedure, Plaintiff Amy Cook respectfully moves this Court for entry of the [Proposed] Preliminary Approval and Scheduling Order (submitted as Exhibit B to the Stipulation of Settlement dated October 25, 2013 (the "Stipulation")):

- granting preliminary approval of the proposed settlement memorialized in the Stipulation;

- approving the form and manner of the proposed notice (submitted as Exhibit C to the Stipulation);
- setting a schedule for, among other things, a hearing for final approval of the proposed settlement; and
- granting such other and further relief as the Court deems just and proper.

Defendants consent to the relief sought in this motion.

In support of this agreed motion, Plaintiff Cook submits the accompanying memorandum of law and the Stipulation with Exhibits A through E.

Dated: October 25, 2013

Respectfully submitted,

BOTTINI & BOTTINI, INC.

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Albert Y. Chang

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s/ Francis A. Bottini, Jr.

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